

REMARKS

Claims 1-20 are pending in the instant application. It is proposed that Claims 1, 2, 12, 15, 16 and 19 amended, Claim 18 be cancelled and new Claim 21 be entered and considered by the Examiner. Applicants respectfully request entry of this Amendment since the Amendment does not add new limitations (e.g., the limitations were present in dependent claims such as Claims 18 and 20), and since a newly cited reference was applied in the Final Rejection. Applicants respectfully request reconsideration and allowance of the instant application.

The rejection of Claims 1-20 under 35 U.S.C. 102(a) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Kozma et al (U.S. Patent Nos. 6,262,137B1 and 6,242,503B1), is respectfully traversed. Applicants reserve the right to challenge the applied art as being prior art to the claimed invention.

Kozma fails to disclose an expandable material comprising styrene butadiene rubber. Kozma also fails to disclose an automotive sealant that is self-retaining. Kozma, therefore, fails to teach each and every aspect of the claimed invention and cannot anticipate the claimed invention.

Kozma also fails to establish a prima facie case of obviousness. Kozma fails to disclose automotive sealants. While Kozma does disclose automotive applications (Col. 1, Line 28 of Kozma), it is reasonable to conclude that Kozma was referring to automotive cushions; not a sealant application.

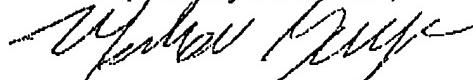
Kozma also fails to disclose a sealant have a defined configuration prior to expanding. Kozma discloses an expandable material in the form of beads, particles and sheets (e.g., ref to Col. 2, Lines 24-29, Col. 8, Lines 55-62 and Col. 12, Lines 14-17 of Kozma). In contrast, the instant invention is a marked improvement over conventional automotive sealants by providing an injection molded component having a defined configuration that is self-retaining (e.g., refer to the configurations illustrated in the instant Figures). The self-retaining features are molded along with the rest of the sealant and are an integral part of the sealant (i.e., the self-retaining features are comprised of the inventive expandable sealant composition). In one aspect of the invention, the automotive sealant comprises a three dimensional and expandable article wherein part of the article is inserted into the member to be sealed and other parts of the article extend along exterior portions of the member to be sealed. When the member to be sealed is heated the article expands within and along the member thereby providing a more effective seal. For these reasons, Applicants respectfully submit that Kozma fails to render the claimed invention obvious and, accordingly, request withdrawal of this rejection.

Applicants believe that the pending claims define patentable subject matter and respectfully request issuance of a Notice of Allowability for the instant application. Please find attached hereto a Petition for a One Month Extension of Time. Should there any other fee due in connection with the instant application,

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please charge the same to Deposit Account No. 15-0680 (Orscheln Management Co.). Should the Examiner deem that any further action on the part of Applicants would advance prosecution of this application, the Examiner is invited to telephone Applicants' attorney.

Respectfully Submitted,



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Encl.: Certificate of Facsimile Dated: March 11, 2002
One Month Extension of Time

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Version With Markings To Show Changes Made

Please amend Claims 1, 2, 12, 15, 16 and 19 as follows:

1(Twice Amended). An injection molded unexpanded composition comprising a combination comprising at least one base polymer comprising at least one maleic anhydride modified copolymer of ethylene, at least one expansion agent, at least one hydrocarbon resin and at least one curing agent, wherein the composition comprises a self-retaining automotive sealant and said sealant has a predetermined three dimensional shape and wherein a portion of said sealant retains said sealant at a predetermined location with respect to an automotive member to be sealed.

2(Twice Amended). An injection molded composition comprising a combination comprising at least one copolymer base polymer comprising [at least one member selected from the group of] styrene butadiene rubber], maleic anhydride modified copolymer of ethylene and maleic anhydride modified copolymer of vinyl acetate], at least one expansion agent, at least one hydrocarbon resin and at least one curing agent wherein said composition is substantially free of ionomeric compounds.

12(Twice Amended). An injection molded expandable composition comprising a combination comprising at least one base polymer comprising styrene butadiene rubber, at least one supplemental polymer, at least one expansion agent, at least one catalyst and at least one filler and wherein said composition is self-retaining.

15(Amended). An injection molded and expandable automotive sealant composition comprising a combination comprising [at least one maleic anhydride modified copolymer of ethylene] styrene butadiene rubber base polymer, at least

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one curing catalyst, [styrene butadiene rubber,] at least one hydrocarbon resin, ethyl vinyl acetate, at least one blowing agent, and at least one filler, wherein the sealant is self-retaining and said sealant has a predetermined three dimensional shape and wherein a portion of said sealant retains said sealant at a predetermined location with respect to an automotive member to be sealed.

16(Amended). The composition of any one of Claims [1,] 2[,] or 12 [or 15] wherein said composition comprises a self-retaining automotive sealant.

19(Amended). The composition of any one of Claims [1,] 2[,] or 12 [or 15] wherein said composition comprises an unexpanded composition having a three dimensional predetermined shape.

Please cancel Claim 18 without prejudice or disclaimer to the subject matter recited therein.

Please add new Claim 21 as follows:

--21. The composition of Claim 1 or 15 wherein said sealant comprises a protuberance that extends into the member to be sealed and at least two extensions that extend along an exterior of the member to be sealed.--

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